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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/805,889      | 03/22/2004  | Eric Henry Grosse    | 8                   | 1924             |

7590 10/19/2007  
Lucent Technologies Inc.  
Docket Administrator (Room 3J-219)  
101 Crawfords Corner Road  
Holmdel, NJ 07733-3030

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| EXAMINER |
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MORAN, RANDAL D

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| ART UNIT | PAPER NUMBER |
|----------|--------------|

2135

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| MAIL DATE | DELIVERY MODE |
|-----------|---------------|

10/19/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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|------------------------------|--------------------------------------|---|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/805,889 | <b>Applicant(s)</b><br>GROSSE, ERIC HENRY |  |
|                              | <b>Examiner</b><br>Randal D. Moran   | <b>Art Unit</b><br>2135                   |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 July 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7, 12-19, 24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7, 12-19, 24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date: _____   | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. Claims 8-11 and 20-23 have been cancelled. Claims 1-7, 12-19, and 24 are pending in the application.
2. This Office Action is in response to amendment filed 7/30/2007.
3. Below, Examiner has pointed out particular references contained in the prior art(s) of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claims, other passages and figures may apply as well. Applicant should consider the entire prior art as applicable as to the limitations of the claims. It is respectfully requested from the applicant, in preparing the response, to consider fully each reference in its entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

### ***Drawings***

The objection to the drawings is withdrawn in view of supplemental drawings filed 7/30/2007.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1-7, 12-19, and 24** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Juitt et al. (US 2003/0087629)** in view of **Deshpande et al. (US 2002/0176579)**, hereafter "Deshpande".

3. Considering **Claims 1 and 13**, Juitt discloses a method for establishing a connection from a user terminal to a network through a network access server ([0003] lines 1-3, [0037] lines 1-4, Fig. 1A), the method comprising the steps of: receiving a request from the user terminal to access the network with use of the network access server ([0051] lines 1-7, Fig. 2- step 205); and providing limited network access to the user terminal through the network access server ([0059] lines 1-6, [0068]), wherein providing said limited network access comprises providing network connectivity through said network access server between said user terminal and one or more predetermined enterprise-authenticated hosts ([0059] lines 3-6, [0068] lines 3-6) and not providing network connectivity through said network access server between said user terminal and network sites other

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than said one or more predetermined enterprise-authenticated hosts ([0068] lines 6-13, [0071] lines 1-3, Fig. 1A- item 117), and wherein said one or more enterprise-authenticated hosts consists of one or more VPN gateways associated with each of said one or more known enterprises ([0075] lines 9-12).

Juitt does not explicitly disclose providing limited network access without the user terminal having provided any authentication of an identity thereof to the network access server, and without the user terminal having directly provided any billing or payment information to the network access sever, network access server is operated by a service provider, wherein said service provider has a pre-existing relationship with each of one or more known enterprises, and wherein said one or more enterprise-authenticated hosts consists of one or more VPN gateways associated with each of said one or more known enterprises, and wherein each of said pre-existing relationships comprises an agreement that said limited network access provided to said user terminal incurs a charge billed by said service provider to a corresponding one of said one or more known enterprises.

Deshpande discloses providing limited network access without the user terminal having provided any authentication of an identity thereof to the network access server ([0025] lines 20-24), and without the user terminal having directly provided any billing or payment information to the network access sever ([0025] lines 20-24), network access server is operated by a service provider ([0028] lines 3-5),

wherein said service provider has a pre-existing relationship with each of one or more known enterprises ([0028] lines 5-12), and wherein said one or more enterprise-authenticated hosts consists of one or more VPN gateways associated with each of said one or more known enterprises [0026] lines 17-21), and wherein each of said pre-existing relationships comprises an agreement that said limited network access provided to said user terminal incurs a charge billed by said service provider to a corresponding one of said one or more known enterprises ([0028]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Juitt by not requiring any information prior to offering limited access to the network, a service provider having a pre-existing relationship with the enterprise, and a billing service for billing the enterprise as taught by Deshpande. This type of mode will be useful to business employees that need access to a hotspot service provider's services for a business purpose without having to establish an individual subscription with that hotspot service provider (Deshpande- [0028] lines 12-15).

4. Considering **Claims 2 and 14**, the combination of Juitt and Deshpande discloses the user terminal comprises a wireless device and the network access server comprises a wireless LAN hotspot server (Juitt- Fig. 1A- item 102 and item 120, [0041]).

5. Considering **Claims 3 and 15**, the combination of Juitt and Deshpande discloses the wireless device and the wireless LAN hotspot server communicate with use of an IEEE 802.11 standard protocol (Juitt- [0038] lines 1-4).
6. Considering **Claims 4 and 16**, the combination of Juitt and Deshpande discloses request from the user terminal comprises an identification of a given enterprise (Juitt- [0059] lines 1-6, [0071] lines 9-12, Fig. 2- step 210), and wherein said one or more enterprise-authenticated hosts consists of one or more VPN gateways associated with said given enterprise (Juitt- [0014], [0075] lines 9-13).
7. Considering **Claims 5 and 17**, the combination of Juitt and Deshpande discloses user terminal has been pre-configured to automatically provide said identification of the given enterprise (Juitt- [0063] lines 1-7).
8. Considering **Claims 6 and 18**, the combination of Juitt and Deshpande discloses request from the user terminal further comprises a fixed password, said fixed password uniquely associated with said given enterprise (Juitt- [0059] lines 13-18).

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9. Considering **Claims 7 and 19**, the combination of Juitt and Deshpande discloses user terminal has been pre-configured to automatically provide said identification of the given enterprise and said fixed password (Juitt- [0063] lines 1-7).
  
5. Considering **Claims 12 and 24**, the combination of Juitt and Deshpande discloses the step of providing said limited network access comprises the steps of: comparing a first IP address pair to a set of previously stored IP address pairs, the first IP address pair comprising an IP address of said user terminal and an IP address of an intended destination to which access has been requested by said user terminal, and each IP address pair in the set of previously stored IP address pairs comprising the IP address of a user terminal connected to said network access server and an IP address of one of said one or more enterprise-authenticated hosts; and providing network connectivity between said user terminal and said intended destination if and only if said first IP address pair matches one of said IP address pairs in said set of previously stored IP address pairs (Juitt- [0073] lines 7-14, Deshpande- [0026] lines 5-16). Applicant also discloses that this technique is one that is well known in the art (Applicant Admitted Prior Art- AAPA [Grosse]- p. 21- lines 9-21, p. 22- lines 1-2).



***Response to Arguments***

1. Applicant's arguments with respect to **Claim 1** have been fully considered but they are not persuasive.

2. Regarding **Claims 1 and 13**, applicants arguments have been fully considered but are not persuasive. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., no authentication provided for limited access to the network) are not recited in the previously rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Furthermore, applicant is directed to Deshpande- [0025] lines 20-24. Deshpande explicitly discloses certain users/devices may be able to connect with the request or accept services from the hotspot service provider network without identification and/or authentication.

With respect to applicants argument that the combination fails to disclose one or more enterprise-authenticated hosts consists of one or more VPN gateways associated with each of said one or more known enterprises. Examiner disagrees and directs the applicant to the rejection of **Claims 4 and 16** from the Office Action dated 4/27/2007 and Juitt- [0014], [0075] lines 9-13. Juitt explicitly discloses the VPN connection can provide additional security measures for the user and the protected network.

***Conclusion***

1. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Randal D. Moran whose telephone number is 571-270-1255. The examiner can normally be reached on M-F: 7:00 - 4:00.

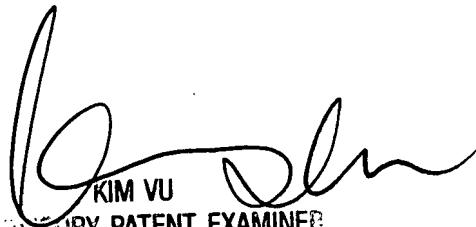
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Randal D. Moran  
/RDM/

10/11/2007



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